

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SHARON BOBBITT, Individually on Behalf of All Others Similarly Situated, Plaintiff, v. ANDREW J. FILIPOWSKI and MICHAEL P. CULLINANE, Defendants.	Civ. No. 1:04 CV 12263 (PBS)
---	------------------------------

**JOINT MOTION TO MODIFY BRIEFING SCHEDULE
AND FOR LEAVE TO FILE BRIEF IN EXCESS OF 20 PAGES**

Now come the parties to the above-entitled action and hereby request a modification of the schedule set at the January 19, 2005 status conference and modified by the Court's order of March 2, 2005. Specifically, the parties request the following: (i) an extension of nine days for Defendants to move to dismiss the Second Consolidated Complaint filed March 8, 2005; (ii) a period of approximately 28 days for Plaintiff to respond to any motion(s) to dismiss; and (iii) an opportunity for Defendants to file a reply brief in support of their motion(s) to dismiss. The parties also request leave to file briefs in excess of 20 pages to the extent Defendants file a joint motion to dismiss. The parties further state as follows:

1. The current schedule calls for motions to dismiss to be filed by March 29, 2005; for any opposition to the motions to be filed by April 12, 2005; and for a May 24, 2005 hearing on any motions to dismiss. The proposed new schedule would be as follows:

- a) Motion(s) to Dismiss to be filed by April 7, 2005;
- b) Opposition(s) to Motion(s) to Dismiss to be filed by May 9, 2005; and
- c) Reply in Support of any Motion to Dismiss to be filed by May 17, 2005.

The proposed modification will not affect the May 24, 2005 hearing date set by the Court for motions to dismiss.

2. Defendants may endeavor to file a joint motion to dismiss and supporting memorandum. To the extent Defendants make such a joint filing, the parties request that the Court grant them leave to file briefs in excess of 20 pages, as follows: memorandum in support of motion to dismiss, 35 pages; opposition to motion, 35 pages; reply in support of motion, 20 pages.

WHEREFORE, the parties respectfully request that the Court enter an order approving the foregoing briefing schedule, and granting leave to file briefs in excess of 20 pages, as set forth above.

Dated: March 23, 2005

Respectfully submitted,

/s/ Thomas D. Brooks

Daniel J. Lyne
Halye A. Sugarman
HANIFY & KING
One Beacon Street
Boston, MA 02108
Tel.: (617) 423-0400

Thomas D. Brooks
SPERLING & SLATER
55 W. Monroe Street, Suite 3200
Chicago, IL 60603
Tel.: (312) 641-3200

Counsel for Defendant Andrew J. Filipowski

/s/ Joseph E. Collins

Bruce S. Barnett
DLA PIPER RUDNICK GRAY CARY US
LLP
One International Place, 21st Floor
Boston, MA 02110
Tel.: (617) 406-6000

Joseph E. Collins
DLA PIPER RUDNICK GRAY CARY US
LLP
203 North La Salle Street, Suite 1800
Chicago, IL 60601
Tel.: (312) 368-4000

Counsel for Defendant Michael P. Cullinane

/s/ Howard T.

Longman
David Pastor (BBO # 391000)
GILMAN AND PASTOR, LLP
Stonehill Corporate Center
999 Broadway, Suite 500
Saugus, MA 01906
Tel.: (781) 231-7850

Samuel H. Rudman
David A. Rosenfeld
LERACH COUGHLIN SOTIA GELLER
RUDMAN & ROBBINS, LLP
200 Broadhollow Road, Suite 406
Melville, NY 11747
Tel.: (631) 367-7100

Howard T. Longman
STULL STULL & BRODY
6 East 45th Street
New York, NY 10017
Tel.: (212) 687-7230

Counsel for Plaintiffs